

AMENDMENTS TO THE CLAIMS

This listing of claims replaces all prior versions, and listings, of claims in the present application.

IN THE CLAIMS:

1. (Original) A gene, which codes for the following protein
(a) or (b):

(a) a protein consisting of an amino acid sequence of any one of
SEQ ID NOS: 2, 4, 6, and 8;

(b) a protein consisting of an amino acid sequence derived from
the amino acid sequence of any one of SEQ ID NOS: 2, 4, 6,
and 8 by substitution, deletion or addition of at least one
or more amino acids, has resistance to a pyrimidinyl carboxy
herbicide, and has acetolactate synthase activity.

2. (Original) An acetolactate synthase protein, which is
coded by the gene of claim 1.

3. (Original) A recombinant vector, which has the gene of
claim 1.

4. (Original) A transformant, which has the recombinant
vector of claim 3.

5. (Original) A plant, which has the gene of claim 1 and has
resistance to a pyrimidinyl carboxy herbicide.

6. (Original) A method for cultivating the plant of claim 5, which comprises cultivating the plant in the presence of a pyrimidinyl carboxy herbicide.

7. (Original) A method for selecting a transformant cell having the gene of claim 1, which uses the gene as a selection marker.

8. (New) A method for cultivating a plant having a gene coding for acetolactate synthase, which comprises cultivating the plant in the presence of a pyriethiobac sodium herbicide and/or a pyriminobac herbicide, wherein the acetolactate synthase has an amino acid sequence in which a serine corresponding to serine at position 627 of a wild-type rice acetolactate synthase is replaced by isoleucine.

9. (New) A method for selecting a transformant cell having a gene coding for acetolactate synthase as a selection maker, which comprises cultivating the cell in the presence of a pyriethiobac sodium herbicide and/or a pyriminobac herbicide, wherein the acetolactate synthase has an amino acid sequence in which a serine corresponding to serine at position 627 of a wild-type rice acetolactate synthase is replaced by isoleucine.